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HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench : Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Writ Petition (C.) No.3581 of 2007

Petitioner : Judgment Debtor No.2 — Gopichand Jaiswal, S/o Padum, Aged about – 50 years, R/o Village Aamapali, Tah. & P.S. Kharsiya, Distt. Raigarh (C.G.)

versus

Respondents :

1. Nindra Bai, W/o Jiwanlal, aged 32 years
2. Brij Kumar, S/o Jiwanlal, aged 19 years
3. Sukanti Bai, D/o Jiwanlal
4. Krishna Kumar, S/o Jiwanlal

Note : Respondents No.3 and 4 are minors and represented through natural guardian and mother Respondent No.1 Nindra Bai

All R/o Village Pamgarh, Post – Pamgarh, P.S. & Tah. Kharsiya, Distt. Raigarh (C.G.)

---------- Decree Holders/ Claimants

5. Murli Maitri, S/o Chinilal Maitri, R/o Village Kharadih, P.S. Dabhra, Distt. Janjgir-Champa

---------- Defendant No.1

Writ Petition under Article 227 of the Constitution of India

Present : Shri Ratan Pusty, counsel for the petitioner.

ORAL ORDER

(Passed on 6th August, 2007)

Shri Ratan Pusty, learned counsel for the petitioner seeks permission to withdraw this writ petition with a prayer that the IVth Additional Motor Accidents Claims Tribunal, Raigarh be directed to

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expeditiously dispose of the application filed under Order 9 Rule 13 of the Code of Civil Procedure for setting aside the award dated 31-07-2006 passed in Claim Case No.11/2006.

(2) In view of the submission made by learned counsel for the petitioner, the writ petition is dismissed as withdrawn. The IVth Additional Motor Accidents Claims Tribunal, Raigarh shall expeditiously decide the application under Order 9 Rule 13 of the Code of Civil Procedure filed by the petitioner for setting aside the award dated 31-07-2006 passed in Claim Case No.11/2006.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Gopal